

### **REMARKS**

The present Amendment is responsive to the Official Action of March 17, 2008, and is filed concurrently with a request for continued examination. The Official Action rejected independent Claims 1, 15, and 25 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0020744 to Ellis *et al.* (“*Ellis*”). The only remaining independent claim, Claim 10, was rejected under 35 U.S.C § 103(a) as being obvious over the combination of *Ellis*, U.S. Patent No. 6,532,589 to Proehl *et al.* (“*Proehl*”), and U.S. Patent No. 6,430,359 to Yuen *et al.* (“*Yuen*”). Several claims were also objected to for informalities.

By the present Amendment, Claims 1, 10, 15, 25, and 32 have been amended. Reconsideration of the claims in view of the preceding amendments and the following remarks is respectfully requested.

#### **I. Claim Rejections**

Amended independent Claim 1 reads as follows:

1. A method comprising:  
accessing an electronic programming guide, the electronic programming guide listing a plurality of scheduled broadcast programs and comprising information associated with each of the plurality of scheduled broadcast programs;  
displaying the accessed electronic programming guide on the electronic display;  
receiving a user selection of at least one of the plurality of scheduled broadcast programs in the accessed electronic programming guide; and  
in response to said receiving a user selection, visually associating in the electronic program guide a user identifier with the at least one of the plurality of scheduled broadcast programs selected in the accessed electronic program guide.

Amended independent Claims 10, 15, and 25 also include recitations similar to “in response to said receiving a user selection, visually associating a user identifier with the at least one new broadcast event entry,” albeit in slightly different language in some cases.

The Official Action indicates that *Ellis* discloses “visually associating in the electronic program guide a user identifier with the at least one of the plurality of scheduled broadcast programs selected in the accessed electronic program guide” via several references incorporated by reference into *Ellis*, the incorporated references being U.S. Patent No. 7,185,355 to Ellis *et al.* (“*Ellis II*”) and U.S. Patent Application Publication No. 2003/0149988 to Ellis *et al.* (“*Ellis III*”). However, nowhere in the cited reference, or any of the references incorporated therein, is it taught to visually associate a user identifier with a scheduled broadcast program in an electronic program guide in response to receiving a user selection of the program, as recited, in one form or another, in each of the independent claims of the present application.

*Ellis II* is directed to an interactive television program guide system in which a user may inform a program guide of the user's interests. Information on the user's interests may be stored in a preference profile. There may be more than one preference profile, each for a different user. Each preference profile contains a number of preference attributes (program titles, genres, viewing times, channels, broadcast characteristics, *etc.*). A preference level (*e.g.*, strong or weak like, strong or weak dislike, illegal, mandatory, don't care, *etc.*) that is indicative of the user's level of interest is associated with each preference attribute. Preference profiles may be used to restrict the programs that are listed in various program listings display screens and may be used to limit the channels to which the program guide allows the user to tune. *See Abstract.*

At one point, *Ellis II* discusses the use of a program guide in conjunction with multiple active profiles. In such cases, “the program guide may list programs using different colors, patterns, icons, *etc.* to distinguish which programs satisfy which profiles. For example . . . the programs . . . [that] satisfy the preference criteria in Mike's profile, as indicated by the “M” icons . . .” *See col. 13, ll. 37-43.* The icons listed in the program guide are provided automatically in response to user-defined preference settings rather than in response to user selection of specific programs.

*Ellis III* is directed to an interactive television program guide system. An interactive television program guide provides users with an opportunity to select programs for recording on

a remote media server. Programs may also be recorded on a local media server. The program guide provides users with VCR-like control over programs that are played back from the media servers and over real-time cached copies of the programs. The program guide also provides users with an opportunity to designate gift recipients for whom programs may be recorded. *See* Abstract.

The Official Action cites Figs. 5 and 14a-18f of *Ellis III* as teaching “visually associating a user identifier with the at least one new broadcast event entry.” *See* p. 16 of the Official Action. However, the cited figures do not appear to disclose a user identifier that is visually present in a program guide. Rather, Fig. 5 of *Ellis III* appears to schematically represent the functioning of a system rather than an actual display, and Figs. 14a-18f appear to lack any kind of user identifier. In any event, none of the figures of *Ellis III* disclose or suggest visually associating a user identifier with a scheduled broadcast program in an electronic program guide in response to receiving a user selection of the program, as recited, in one form or another, in each of the independent claims of the present application.

The above-discussed deficiency in *Ellis* is not cured by *Proehl* or *Yuen*. *Proehl* discloses a method and apparatus for providing a calendar-based on-screen planner, also referred to in the patent as a “TV planner.” *Proehl* describes how a user can access an electronic programming guide (“EPG”) and select various scheduled television programs from the EPG that the user wishes to record or about which the user wishes to be reminded. The user can then access the TV planner to view a monthly or daily view of the television programs that the user has selected to record or to be reminded about. *See* FIGS. 9 and 10. *Yuen* is directed to allowing a timer preprogramming feature on a video cassette recorder to be programmed via a compressed code from encoded video recorder/player timer preprogramming information listed in a television calendar. The encoded video recorder/player timer preprogramming information are decoded by a decoder built into a remote control, video cassette recorder, television, or other video device to convert the compressed code into channel, date, time and length information. The compressed code indications associated with each television program can be printed in a television program calendar in advance. The user would use the remote control or controls on the video device to

enter the code that signifies the program to be recorded. Neither *Proehl* nor *Yuen* disclose or suggest visually associating a user identifier, in response to said receiving a user selection, with the at least one new broadcast event entry. Indeed, *Proehl* and *Yuen* are cited by the Official Action for different purposes, and the Official Action does not assert that either reference discloses the aspect at issue.

Applicants respectfully submit that none of the cited references discloses at least visually associating in an electronic program guide or electronic calendar, in response to receiving a user selection of the program, a user identifier with the at least one new broadcast event entry, as recited, in one form or another, in amended independent Claims 1, 10, 15, and 25. For at least this reason, Applicants respectfully submit that independent Claims 1, 10, 15, and 25, as well as the claims respectively depending therefrom, are patentable over the cited references, taken either individually or in combination.

## **II. Claim Objections**

Claims 2 and 32 were objected to for informalities. Regarding Claim 32, Applicants note that Claim 32 has been amended to correct a typographical error. Regarding Claim 2, Applicants note that this claim depends from Claim 38, and Applicants respectfully submit that Claim 2 does not require correction.

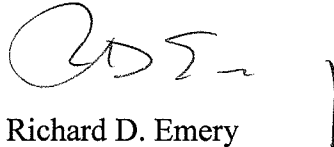
Application No.: 10/035,557  
Amendment Dated June 6, 2008  
Reply to Office Action of March 17, 2008

### **CONCLUSION**

In view of the amended claims and the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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